

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JEFFREY WADE PATTERSON,

No. C 07-1579 SI (pr)

Petitioner,

ORDER OF TRANSFER

v.


KATHY MENDOZA-POWERS,
warden,

Respondent.

Jeffrey Wade Patterson has filed a petition for writ of habeas corpus to challenge the sentence imposed after his 1997 conviction in Modoc County Superior Court. Modoc County lies within the venue of the Eastern District of California. Patterson is in custody in Kings County, also within the venue of the Eastern District of California. Venue is proper in a habeas action in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, a petition challenging a conviction or the sentence imposed is preferably heard in the district of conviction. See Habeas L.R. 2254-3(b). Because the conviction occurred in the Eastern District of California, pursuant to 28 U.S.C. § 1404(a) and § 1406(a) and Habeas L.R. 2254-3(b), and in the interests of justice, this action is TRANSFERRED to the United States District Court for the Eastern District of California. The clerk shall transfer this matter forthwith.

IT IS SO ORDERED.

DATED: May 11, 2007



SUSAN ILLSTON
United States District Judge